

**STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING**

Department of Public Health and Addiction Services v.

Sandra Clay, L.P.N.

Licensed Practical Nurse No. 025627

32-0 Weed Hill Avenue

Stamford, Connecticut 06907

CASE PETITION NO. 950606-11-061

MEMORANDUM OF DECISION

INTRODUCTION

The Board of Examiners for Nursing (hereinafter the "Board") was presented by the Department of Public Health and Addiction Services ^{1/} (hereinafter the "Department") with a Statement of Charges and a Motion for Summary Suspension dated June 9, 1995 (Department Exhibit 1). The Statement of Charges alleged violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by Sandra Clay (hereinafter the "Respondent").

Based on the allegations in the Statement of Charges and accompanying affidavits and reports, the Board found that the continued nursing practice of the Respondent represented a clear and immediate danger to public health and safety. On June 14, 1995, the Board ordered, pursuant to its authority under §19a-17(c) of the General Statutes of Connecticut, that the licensed practical nurse license of the Respondent be summarily suspended pending a final determination by the Board of the allegations contained in the Statement of Charges (Department Exhibit 1).

^{1/} Prior to July 1, 1995 the Department of Public Health was known as the Department of Public Health and Addiction Services. (Connecticut Public Act No. 95-257)

6. The Respondent, while at home, self-administered the controlled substances Demerol and Percocet (Roxicet) which she diverted from Mediplex of Stamford. (Department Exhibit 1-A)
7. During April and May 1995, while working as a licensed practical nurse at Mediplex of Stamford, the Respondent falsified controlled substance disposition records by indicating that the doses of Demerol and Percocet (Roxicet) which she had diverted for her own use, had been administered to patients. (Department Exhibit 1-A)

DISCUSSION AND CONCLUSIONS

In consideration of the above Findings of Fact, the following conclusions are rendered:

Sandra Clay held a valid licensed practical nurse license in the State of Connecticut at all times referenced in the Statement of Charges.

The Summary Suspension Order, Notice of Hearing and Statement of Charges sufficiently provided information as mandated by the General Statutes of Connecticut §4-177, §4-182 and §19a-17.

The hearing was held in accordance with Chapters 54 and 368a of the General Statutes of Connecticut as well as §19-2a-1 through §19-2a-30 of the Regulations of Connecticut State Agencies. The Notice of Hearing, Statement of Charges and the hearing process provided the Respondent with the opportunity to demonstrate compliance with all lawful requirements for the retention of her license as required by the General Statutes of Connecticut §4-182(c).

PARAGRAPH 3 of the Statement of Charges alleges that during April and May of 1995, while working as a licensed practical nurse at Mediplex of Stamford, Stamford, Connecticut, the Respondent:

- "a. diverted Demerol, Percocet and Roxicet;;
- b. abused or utilized to excess one or more of said medications;
- c. failed to completely, properly and/or accurately document medical and/or hospital records; and/or,
- d. falsified one or more Controlled Substance Receipt Records."

The Respondent was not present at the hearing to answer these charges, therefore the Board deems the Statement of Charges to be admitted.

The General Statutes of Connecticut §20-99(b) prohibits conduct which fails to conform to the accepted standards of the nursing profession, which includes "... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions... (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals... (6) fraud or material deception in the course of professional services or activities...."

Based on its findings, the Board concludes that the Respondent's conduct as specified in Paragraph 3 of the Statement of Charges is proven and that said conduct violates the General Statutes of Connecticut §20-99(b)(2), (5) and (6). Therefore, the Respondent is subject to disciplinary action pursuant to §19a-17 of the General Statutes of Connecticut.

ORDER

Pursuant to its authority under §19a-17 and §20-99 of the General Statutes of Connecticut, the Board of Examiners for Nursing hereby orders the following:

1. That the Respondent's licensed practical nurse license, No. 025627, be revoked.
2. Revocation shall become effective on the date this Memorandum of Decision is signed by the Board of Examiners for Nursing.

The Respondent, Sandra Clay, is hereby directed to immediately surrender Licensed Practical Nurse No. 025627 to the Board of Examiners for Nursing, Department of Public Health, 150 Washington Street, Hartford, Connecticut 06106.

The Board of Examiners for Nursing hereby informs the Respondent, Sandra Clay, and the Department of Public Health of the State of Connecticut of this decision.

Dated at Hartford, Connecticut this 15th day of November, 1995.

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BOARD OF EXAMINERS FOR NURSING

By

